

108TH CONGRESS
1ST SESSION

H. R. 1866

To reinstate and transfer a hydroelectric license under the Federal Power Act to permit the redevelopment of a hydroelectric project located in the State of New York, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 29, 2003

Mr. SWEENEY (for himself and Mr. McNULTY) introduced the following bill;
which was referred to the Committee on Energy and Commerce

A BILL

To reinstate and transfer a hydroelectric license under the Federal Power Act to permit the redevelopment of a hydroelectric project located in the State of New York, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. FINDINGS.**

4 The Congress finds that actions by the Federal En-
5 ergy Regulatory Commission (FERC) leading to the ac-
6 ceptance and approval of the surrender of a hydroelectric
7 license for Project No. 6032, including, but not limited
8 to, the FERC's failure to ensure, during the effective pe-

1 riod of the issued hydroelectric license, that the project's
2 facilities were adequately maintained and operated, pre-
3 vented the project from generating electricity and thereby
4 wasted the hydraulic potential of waters of the United
5 States.

6 **SEC. 2. REINSTATEMENT AND TRANSFER.**

7 (a) REINSTATEMENT AND TRANSFER OF FEDERAL
8 LICENSE FOR PROJECT NUMBERED 6032.—Notwith-
9 standing section 8 of the Federal Power Act (16 U.S.C.
10 801) or any other provision thereof the FERC is directed
11 to reinstate the license for Project No. 6032 and to trans-
12 fer the license, without delay or the institution of any pro-
13 ceedings, to any prior licensee for Project No. 6032 who
14 has not been ordered by the New York Public Service
15 Commission to divest its generation facilities, with a li-
16 cense term of fifty years running from the date of trans-
17 fer, within 30 days of enactment of this Act. All deadlines
18 established under the license, including without limitation
19 the deadlines for acquisition of project property and for
20 commencement of construction, shall run from the date
21 of transfer.

22 (b) HYDROELECTRIC INCENTIVES.—Project No.
23 6032 shall be entitled to the full benefit of any legislation
24 passed by Congress that promotes hydroelectric develop-

1 ment within 2 years either before or after this Act's effec-
2 tive date.

